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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/809,116
	Filing Date	March 25, 2004
	First Named Inventor	Michael A. Pouchak
	Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	H0005466-9952 (1161.1132101)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Form PTO 1449 5 cited non-U.S. Patent/Publication References Returned Postcard	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name:	Brian N. Tuffe, Reg. No. 38,638	
Signature		
Date	July 27, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Lynn Thompson		
Signature		Date	July 27, 2004

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Pouchak et al. Examiner: Unknown  
Serial No. 10/809,116 Group Art Unit: Unknown  
Filed: May 25, 2004 Confirmation No.: Unknown  
For: COLD WATER BYPASS AND FIRING RATE CONTROL  
Docket No.: H0005466-9952 (1161.1132101)

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Mail Stop Amendments  
Commissioner for Patents  
PO Box 1450  
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**CERTIFICATE UNDER 37 C.F.R. 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Amendment Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 27<sup>th</sup> day of July, 2004.

By: \_\_\_\_\_

Brian N. Tuite

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F. R. §1.98(a)(2), a copy of each non-US patent document or other information listed on the enclosed Form 1449 is provided.

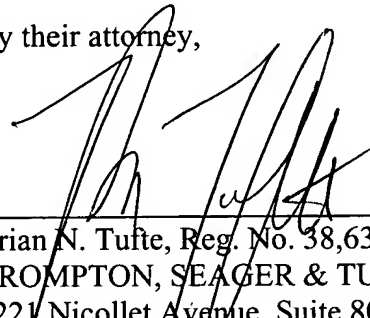
No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Michael A. Pouchak et al.

By their attorney,

A handwritten signature in black ink, appearing to be "Brian N. Tufte", written over a horizontal line.

Brian N. Tufte, Reg. No. 38,638  
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Dated: July 27, 2004



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FORM PTO-1449

Atty. Docket No.:  
H0005466-9952  
(1161.1132101)Serial No.:  
10/809,116LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION  
DISCLOSURE STATEMENT

Applicant: Michael A. Pouchak et al.

Filing Date:  
March 25, 2004Group Art:  
unknown

## U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	
	2002/0193890A1	12/2002	Pouchak	
	4,373,663	02/1983	Hammer	
	5,154,162	10/1992	Chang	
	5,960,558	10/1999	Bourgault	
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	6,401,669	06/2002	Macgowan et al.	
	6,536,678	03/2003	Pouchak	
	6,540,148	04/2003	Salsbury et al.	
	6,694,927	02/2004	Pouchak et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Country	Translation Yes No

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	ES Engineered Systems, "Features Item: A New Look At Modular Boiler Systems," 10 pages, March 2001.
	Lochinvar, "Intelli-Fin Gas Fired Boilers," 6 pages, April 2003.
	Lochinvar, "Intelli-Fin Sequencing Options Mean New Levels of Building Efficiency," 2 pages, November 2002.
	Slant Fin Terra Therma, "Typical Applications, 15 pages, February 2002.
	Triad Boiler Systems Inc., "Modular Steel Firetube Packaged Boiler Systems," 3 pages, March 12, 2004.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.